

## Article - Environment

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§15-520.

(a) Any person who mines coal by the open-pit mining method as an operator without having applied for and received a license as provided in this subtitle is guilty of a misdemeanor. On conviction, he is subject to a fine of not less than \$5,000 and not exceeding \$10,000, or imprisonment not exceeding six months, or both.

(b) Any person who mines coal by the open-pit mining method without having received a permit, as provided in this subtitle, who mines coal by the open-pit mining method without securing an amended permit, who mines coal by the open-pit mining method without furnishing the proper bond required by this subtitle, who knowingly or intentionally submits false information to the Department, or knowingly fails to make any statement, representation, or certification in any document required to be filed with the Department, or who does not fully comply with every provision and requirement of this subtitle or any rule, regulation, permit, notice or order issued pursuant thereto, is guilty of a misdemeanor, and upon conviction, is subject to a fine of not more than \$10,000 or by imprisonment for not more than 1 year or both.

(c) Any person who mines coal by the open-pit or strip method on any land the State owns in violation of § 15-505 of this subtitle without a permit the Bureau issues is guilty of a misdemeanor and upon conviction is subject to a fine of not less than \$1,000 and not exceeding \$10,000 or imprisonment not exceeding two years, or both. A separate offense shall exist for each day a violation occurs.

In addition to any fine imposed, every person convicted of violating § 15-505 shall pay the Director a sum sufficient to reclaim the area mined.

(d) Any fine imposed under this subtitle by the District Court shall be paid to the State. A fine imposed by the circuit court for any county shall be paid to the Bituminous Coal Open-Pit Mining Reclamation Fund. A fine imposed under this section and paid into the Fund shall be used for the sole purpose of foresting or reclaiming land affected by open-pit mining of bituminous coal.

(e) Any person who shall willfully resist, prevent, impede, or interfere with the Secretary or any of his agents in the performance of duties under this subtitle shall be guilty of a misdemeanor, and on conviction, is subject to a fine of not more than \$5,000 or by imprisonment for not more than 1 year or both.

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